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General Assembly
Fifty-ninth session

Official Records

62nd plenary meeting
Tuesday, 30 November 2004, 10 a.m.
New York

President: Mr. Ping ..... (Gabon)

In the absence of the President, Mr. Dauth (Australia), Vice-President, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 8 (*continued*)

Organization of work, adoption of the agenda and allocation of items

Fifth report of the General Committee (A/59/250/Add.4)

The Acting President: In its report, the General Committee recommends to the General Assembly that an additional sub-item, entitled "Rendering assistance to the poor mountain countries to overcome obstacles in socio-economic and ecological areas" be included in the agenda of the current session as a sub-item of agenda item 85, entitled "Sustainable development", under heading B, "Promotion of sustained economic growth and sustainable development in accordance with the resolutions of the General Assembly and recent United Nations conferences".

May I take it that the General Assembly decides to include this additional sub-item in the agenda of the current session as a sub-item of agenda item 85 under heading B?

It was so decided.

The Acting President: The General Committee further recommends that the additional sub-item be allocated to the Second Committee. May I take it that the General Assembly decides to allocate the additional sub-item to the Second Committee?

It was so decided.

The Acting President: I should like to inform members that the new sub-item, entitled "Rendering assistance to the poor mountain countries to overcome obstacles in socio-economic and ecological areas", become sub-item (h) of agenda item 85 on the agenda of the current session.

The Chairman of the Second Committee will be informed of the decision just taken by the General Assembly.

The General Assembly has thus concluded its consideration of the fifth report of the General Committee.

Agenda item 37 (*continued*)

Question of Palestine

Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian people (A/59/35)

Report of the Secretary-General (A/59/574)

Draft resolutions (A/59/L.34, A/59/L.35, A/59/L.36, A/59/L.37)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

04-62702 (E)

Mr. Haraguchi (Japan): At the outset, I would like to express my heartfelt condolences on the passing of Mr. Yasser Arafat to his bereaved family, the Palestinian people, the Palestinian National Authority and the Palestine Liberation Organization. Mr. Arafat, hoping to realize peace in the Middle East, concluded the historic Oslo Accords with Israel in 1993, was elected President of the Palestinian Interim Authority by a direct ballot of the Palestinian people and played a leading role towards building a Palestinian State. I sincerely hope that Palestinians will soon overcome their sorrow and be united in continuing to strive for the establishment of an independent State of Palestine, coexisting in peace with Israel.

The passing of Mr. Arafat has unexpectedly brought us to a turning point in the Middle East peace process. The international community must seize this opportunity and make every effort to revitalize the road map and move the peace process forward in accordance with it. Without a resolution of the Israeli-Palestinian conflict, there will be no peace or stability in the Middle East region as a whole. In trying to cope with the new situation brought about by the passing of Mr. Arafat, we must reconfirm such recognition as a starting point for our future efforts.

In our view, the most important challenge at this juncture is to ensure the successful election of the President of the Palestinian Authority. From this viewpoint, it is crucial that both the Israeli Government and the Palestinian Authority cooperate in working towards a successful outcome of the election, and we welcome the ongoing consultations between the two parties for such cooperation. Japan, too, intends to make a meaningful contribution towards the success of the process.

Needless to say, in order to achieve peace in the region it is vitally important that the new Palestinian leadership, committed to the promotion of peace, be elected with the widest support possible from the Palestinians, and that it establish a responsible governing structure. The Palestinian side must take effective measures to control extremists. Israel must also cooperate in that joint endeavour, because it is necessary to resolve, in an appropriate manner, such issues as participation in the voting by Palestinians in East Jerusalem and the lifting of restrictions on freedom of movement.

Following the Palestinian presidential election, Israel's disengagement from Gaza and the northern West Bank is expected to be the next major task. We welcome Israel's disengagement initiative because, if it is implemented in conformity with the road map, we believe that it will contribute significantly to the revitalization of the road map. The withdrawal must be carried out in close coordination with the Palestinian side. I wish to urge our Israeli friends to give serious consideration to these points.

We believe that the peaceful coexistence of two States, Israel and Palestine, is the only sustainable solution to the conflict. Based upon this belief, Japan has been making contributing to the Middle East peace process in both the economic and the political spheres.

In the political sphere, Japan has been encouraging the parties concerned, through a variety of channels, to take positive steps to promote the peace process. Moreover, from January next year, as a non-permanent member of the Security Council, we will actively engage in discussions in the Council on peace in the Middle East.

In the economic sphere, since the Oslo Accords of 1993, Japan has been providing assistance to the Palestinians, amounting to nearly $700 million in support of their efforts to establish the independent State of Palestine. In recent years our assistance has been centred on three pillars: response to humanitarian needs, reform and confidence-building. Now that we are entering a new phase, Japan will extend further support for the efforts towards peace undertaken by both parties.

Japan enjoys an extremely good relationship with both Israel and Palestine. I wish to conclude my statement by reiterating that Japan is always ready and willing to listen in earnest to the views of its friends.

Mr. Hachani (Tunisia) (*spoke in Arabic*): The General Assembly's annual consideration of the question of Palestine is a situation that we have seen for about half a century, but these are especially sad circumstances because of the passing of the historic leader of the Palestinian people and symbol of their long struggle, Chairman Yasser Arafat. My country wishes to convey its great sympathy with the fraternal people of Palestine, and we join in the condolences expressed by the General Assembly at this time.

Furthermore, we reaffirm the importance of the elections that the Palestinian Authority is preparing to hold and we call upon the international community to help the Palestinian Authority in that endeavour. We call upon the Government of Israel not to hamper the Palestinian elections and to remove all restrictions and obstacles, so that all Palestinians, including those who live in East Jerusalem, can elect their new President in full freedom.

This is the fourth consecutive year that the situation in the occupied Palestinian territories has continued to worsen and deteriorate because of oppressive Israeli practices against the Palestinian people and their leadership. On an almost daily basis, arbitrary assassinations and detentions occur; houses are being destroyed; lands are being razed; the settlement policy continues; the separation wall continues to be built deep in Palestinian territories, notwithstanding the international condemnation of the scale of the wall, and notwithstanding the Advisory Opinion of the International Court of Justice, which stated that the wall was illegal and must be dismantled.

There is no doubt that Israeli practices clearly violate international humanitarian law, in particular the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. These practices have proven futile, because true peace cannot be attained by erecting psychological and material obstacles or by excessive resort to the military machine against civilians, but through serious, responsible political will and the choice of peace that the Middle East region has been looking forward to for so long.

Furthermore, this cycle of violence will continue unless there is a political will on both sides to achieve peace. In this context, Tunisia, through our President Zine El Abidine Ben Ali, reiterates, on this International Day of Solidarity with the Palestinian People, its call to the international community quickly and effectively to intervene and protect the Palestinian people and to urge Israel to put an end to these practices against the Palestinian people and to end unilateral measures against them.

Tunisia is now the Chairman of the Arab Summit and we have sought to coordinate work and to consult with all parties in order to act on the Tunis Summit resolutions, to reaffirm peace as a strategic choice, and to express our solidarity with the fraternal Palestinian people, by supporting their struggle for their legitimate rights, and to enable them to find a comprehensive, lasting and just solution to the question of the Middle East.

Tunisia is committed to continue efforts aimed at resuming negotiations pursuant to the relevant international resolutions and to the road map. Accordingly, we call upon the Quartet to focus its efforts on that goal. A return to the logic of peace, recognition of the national rights of the Palestinian people and the finding of a just solution on all tracks will ensure coexistence among all peoples of the region in peace, stability and concord. This would make it possible for them to focus on building and reconstruction in order to achieve progress and prosperity for all.

The United Nations, and in particular the General Assembly, has an ongoing responsibility to the Palestinian people that it must continue to shoulder because the United Nations is the guarantor and protector of international law when it comes to the question of Palestine and the Middle East in general. This is a political role that must continue to be played in order to achieve a final just solution to this question and to establish an independent Palestinian State with Al-Quds Al-Sharif as its capital.

The United Nations has another distinct role that should be furthered and supported, which is the promotion and development of international financial resources in order to assist the Palestinian people economically, by guaranteeing the participation of United Nations bodies in coordinating this assistance. Economic and social development in the occupied Palestinian territories is an important element and could help to restore peace if enhanced.

I would like to express the appreciation of Tunisia for the valuable efforts made by the Committee on the Exercise of the Inalienable Rights of the Palestinian People to help give effect to those rights and for its support of the Palestinian people and the causes of justice and peace.

A comprehensive, just and lasting peace in the Middle East region requires that Israel withdraw completely and unconditionally from the occupied Syrian Golan and from remaining occupied Lebanese land in compliance with relevant resolutions and terms of reference. It is important for the international community to learn a lesson from the past decade so that it can deal with the factors and obstacles that in the

past have caused problems in the peace process, and that would contribute to creating suitable circumstances for successful negotiations.

Finally, I can only reiterate the appreciation of the Tunisian Government for the ongoing efforts made by the United Nations through its various bodies under the leadership of the Secretary-General, so that it can play an active role in dealing with the question of the Middle East and the Arab-Israeli conflict. Those who support this process want to eliminate endemic conflict, the source of tension in the world and in the Middle East region in particular.

Mr. Vixay (Lao People's Democratic Republic): At the outset, on behalf of the Lao People's Democratic Republic, I would like to express our appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its report A/59/35, which provides useful recommendations for the solution to the question of Palestine.

Many decades have passed, but the situation in the occupied Palestinian territories, including East Jerusalem, does not seem to be improving. As reflected in the report, violence continues unabated, causing great suffering to and taking the lives of the people in the region. It is regrettable that the international community's earnest hopes for, and attempts to bring, peace and stability to the region have not yet materialized. Many Security Council resolutions have been adopted, a summit was held, and recently a Quartet road map was introduced, all without producing any tangible results.

In that regard, we urge the parties concerned to stop the violence and all acts that could increase the tension. Both sides need to exercise maximum restraint and resume negotiations as preconditions leading to the implementation of the Quartet road map as well as of the relevant Security Council resolutions and the principle of land for peace.

It is also regrettable to note that there is now a critical deadlock in the peace process. In order to help break this impasse and to end the violence before it spreads further, the best course of action, in our opinion, is to help the interested parties to move towards a final and peaceful agreement.

In that regard, we renew our call on the international community, especially to the Quartet, to continue making political and diplomatic efforts that would support and promote negotiations between Israel and Palestine, with the aim of finding a final, peaceful settlement of the conflict.

Peace and stability in the Middle East are not likely to be achieved unless the Palestinian issues are resolved in a just and reasonable manner. In that context, the Lao People's Democratic Republic reaffirms its unwavering support for the right of the Palestinian people to self-determination, including the right to an independent State of Palestine. We therefore urge the parties concerned to engage in serious dialogue, settle the conflict and realize the vision of two States, Israel and Palestine, living side by side in peace within secure and internationally recognized borders.

Reaching the light of peace at the end of the tunnel is not an easy task, as a multitude of obstacles are blocking the way. However, that should not prevent us from reaching our destination if we firmly carry on with our concerted efforts. We also believe that it is dialogue, rather than confrontation, that will bring sustainable peace and security to all peoples throughout the world. The question of Palestine can be resolved only by peaceful means, in accordance with the principles of international law and the Charter of the United Nations.

Mr. Moleko (Lesotho): Let me begin by expressing our deep sympathy and heartfelt condolences to the Palestinian people, who are still mourning the death of President Yasser Arafat.

As we commemorate the International Day of Solidarity with the Palestinian People, Lesotho wishes to reiterate its solidarity with the people of Palestine and its support for their inalienable rights.

My delegation thanks the Secretary-General for his comprehensive report. Our congratulations go also to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its enlightening report and insightful recommendations.

In my delegation's view, all parties to the Israeli-Palestinian conflict have to adhere to the principles of international law. In that regard, we recall the advisory opinion rendered by the International Court of Justice on 9 July 2004 on the legal consequences of the construction of a wall in the occupied Palestinian territories, and the Court's conclusion that the

construction of the wall built by Israel in the occupied Palestinian territory, including in and around East Jerusalem, and its associated regime was contrary to international law. We therefore urge all parties to the conflict and other stakeholders to implement the relevant resolution which was adopted by the resumed tenth emergency special session of the General Assembly on 20 July 2004.

Let me take this opportunity to point out that, in this conflict, it is lack of respect for international law, including international humanitarian law, that has been the driving force behind the continuing high levels of violence, which severely affect unarmed civilians, particularly women and children.

For the Palestinian people, the struggle for self-determination, national independence and sovereignty has been ongoing for far too long, and the cost in terms of human life has been very high.

Lesotho is concerned by the level of progress in advancing the peace process. We wish to stress the fact that the Quartet road map remains the only path towards a comprehensive, just and lasting settlement of the question of Palestine. In our view, Israel's unilateral disengagement plan cannot achieve the desired results. Any effort aimed at the peaceful settlement of the conflict should be carried out in full cooperation with the Palestinian Authority. We therefore encourage the parties to resume meaningful negotiations for a true and lasting peaceful settlement and the international community to render all the necessary assistance to that end.

Finally, as a tribute to the late President Arafat, the international community must spare no effort to realize his lifelong dream of a peaceful Middle East and the establishment of a Palestinian State based on the two-State solution — Israel and Palestine, living side by side, within secure borders.

Mr. Chowdhury (Bangladesh): Since 1977, we have been observing, on 29 November, the International Day of Solidarity with the Palestinian People with due solemnity. It has always been, for us and for all who feel passionately about the issue, a day of deep reflection. It has always been an occasion for us to review the situation and also to stimulate thoughts and discussions on how to bring the curtain down on this painfully tragic drama that is being enacted in Palestine.

This year the Day assumes even greater significance against the backdrop of the sad demise of President Yasser Arafat earlier this month. It is not just because he epitomized the spirit of Palestine, though he did that as well. It is also because he symbolized, for millions around the world, the cause of freedom and liberty. It is tragic that he could not see for himself the fruition of his long struggle.

But that is not to say it will not happen. It certainly will. Peace will come to that troubled land, and, when it does, it will be a fitting memorial to him.

While paying tribute to him, the Secretary-General called for even greater efforts to bring about the peaceful resolution of the problem. We wholeheartedly endorse that call. We in Bangladesh see, as part of this resolution, the establishment of an independent and sovereign State for the Palestinians, with Al-Quds Al-Sharif as its capital.

The peace process appears stalled, although there has been a glimmer of hope here and there. The problem has been compounded by the construction of the so-called security wall. This wall and the illegal settlements continue to impede peace.

The international community will now need to act in unison, with renewed vigour and stronger resolve. We remain convinced that a comprehensive peace in the Middle East can only come about through the full and unconditional implementation of all relevant United Nations resolutions. If the peace process is to succeed, it will require courage and vision, commitment and dedication on the part of all concerned parties. We have every confidence that these qualities will be forthcoming from the leaderships involved. In our view, our goal can be achieved if the road map of the Quartet is followed in full.

If there is one element common to all involved, it is a yearning for peace in the region in every Palestinian and Israeli heart. The challenge is now to translate desire into reality. Why should it not be possible, particularly in that part of the world? For, it is from these holy lands that the three great faiths of peace — Islam, Christianity and Judaism — emerged. This season we observe their three great feasts in close proximity to one another — Eid-Al Fitr, Christmas and Hanukkah. We therefore assert that there can be no better moment to adhere to the three great sets of teachings, all of which carry the message of peace,

tolerance and harmony, values that are embedded in the traditions to which all three are heirs.

Mr. Shiweva (Namibia): At this difficult time in the history of the Palestinian people, my delegation would like, once again, to convey its deepest sympathy to the people of Palestine on the passing away of President Yasser Arafat. The late President Arafat was a visionary leader who devoted his entire life to the struggle for the liberation of Palestine; but his long-cherished goal to liberate Palestine and create an independent and sovereign Palestinian State has not yet been realized. Now that he is no more, the Palestinian people should rededicate themselves and continue from the point at which he left off, until final victory is achieved. We encourage them to remain united and rally behind their new leadership in their just cause for self-determination and national independence.

My delegation welcomes the debate on agenda item 37 entitled the "Question of Palestine". My delegation aligns itself with the statement made yesterday by Mr. Paul Badji, Ambassador and Permanent Representative of Senegal to the United Nations, in his capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. We thank Ambassador Victor Camilleri of Malta and the Rapporteur of the Committee for introducing the report.

The Palestinian people are going through a hard and protracted struggle for their freedom, justice and national independence. In the twenty-first century, the people of Palestine are still denied their right to self-determination. Their basic human rights are perpetually being violated, and their land is being illegally occupied.

My delegation is concerned by the increased violence and killing of innocent civilians, both Palestinian and Israeli. However, we underscore the fact that the illegal Israeli occupation and its repressive laws are the major cause of the ongoing violence. The continued disproportionate and indiscriminate use of force by the Israeli army; extra-judicial killings and assassinations of Palestinian leaders; the construction of the separation wall in the occupied Palestinian territory, including East Jerusalem; the demolition of houses; the destruction and confiscation of Palestinian properties; the expansion of illegal Israeli settlements; the restriction of movement imposed on both the Palestinian people and humanitarian aid workers, are all breaches of international law by Israel acting with impunity.

The construction of the separation wall has led to a deterioration in the humanitarian situation in the occupied Palestinian territory. This Assembly thus requested of the International Court of Justice (ICJ) an advisory opinion on the legal consequences arising from the construction of the wall. The International Court of Justice rendered its opinion on 9 July 2004 that the construction of the wall is illegal and that it should be stopped and reversed. On the basis of that opinion, this Assembly adopted resolution ES-10/15 on 20 July 2004. This resolution should be implemented without delay. The General Assembly, as well as the Security Council, should ensure that Israel, as the occupying Power, fulfils its obligations under international law.

Briefing the Fourth Committee on 1 November 2004 on the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), its Commissioner-General, Mr. Peter Hansen, explained how the Agency is facing enormous difficulties in the occupied Palestinian territory as a result of Israel's military occupation, which has brought about violence, curfews and closures. The occupying Power also continues to arrest and detain Palestinians without charges, including UNRWA staff, thereby deterring them from freely carrying out their humanitarian tasks. Some have even lost their lives at the hands of the Israeli military forces. The international community should not allow these activities to continue with impunity.

We commend the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian people and Other Arabs of the Occupied Territories for their important work under extremely difficult circumstances. Although the Special Committee was not allowed to visit the areas under occupation, they managed to obtain information by interviewing witnesses on the atrocities that are being committed daily by the occupying forces.

I would be remiss if I did not convey my delegation's appreciation to Mr. Terje Roed-Larsen, the United Nations Special Coordinator for the Middle East Peace Process, for his dedication and tireless efforts in executing his mandate under very difficult conditions. As he retires from his Office, we wish him

well, and we hope that his replacement will soon be effected.

In conclusion, as we convey our unwavering solidarity and support to the people of Palestine, we reiterate our call for the unconditional implementation of the road map as the only viable way of finding a peaceful solution to the question of Palestine. The people of Palestine deserve peace, and the international community should spare no effort in assisting them to achieve that goal.

Mr. Wang Guangya (China) (*spoke in Chinese*): We were all saddened by the passing away not long ago of Mr. Arafat, Chairman of the Palestinian National Authority. I wish to take this opportunity, once again, to express our deep condolences on the death of Chairman Arafat. His lifelong dedication to the restoration of the legitimate national rights of the Palestinian people will forever be remembered by the people of the world. We are pleased to note that the Palestinian people he left behind have maintained their unity and political stability.

The question of Palestine is at the heart of the question of the Middle East. The achievement of lasting and comprehensive peace in the Middle East will depend upon whether the legitimate national rights of the Palestinian people can be restored. Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) have laid down a firm foundation for a political solution to the question. History has shown for more than five decades that only peace negotiations — not military means — can lead to a fair and appropriate solution to the question of the Middle East.

The Middle East peace process is currently at an important juncture and presents both opportunities and challenges. It is therefore important for the parties concerned to take advantage of this opportunity and to make a concerted effort to create conditions for an early resumption of the peace negotiations between Israel and Palestine. We welcome the positive gestures made by the parties concerned. The elections to be held in Palestine early next year are of major significance to stability there. We believe that the Palestinian people will continue to remain united and will ensure the success of the elections.

China believes that the international community should provide the assistance required for the elections. We also hope that Israel will facilitate the free participation of the Palestinian people in the elections and adopt measures to improve the humanitarian situation in Palestine. Under current circumstances, both Israel and Palestine must exercise the utmost restraint, avoid taking any actions that might jeopardize the relaunching of the peace process and try to do more to enhance mutual trust.

At the same time, the two sides should recommit themselves to the road map and adopt effective measures to fulfil their respective responsibilities. We sincerely hope that the political leaders of both Israel and Palestine will demonstrate extraordinary courage and farsightedness by taking advantage of this window of opportunity and working vigorously for the early resumption of peace talks.

The resolution of the Israeli-Palestinian conflict is closely linked to peace and stability in the Middle East and the world as a whole. Peace in the Middle East cannot be achieved without the effective support of the international community. Now is the time for the international community — especially the Quartet — to step up its efforts and become more proactive in accelerating the implementation of the road map by Israel and Palestine. The United Nations, as an important organization for the maintenance of world peace and security, should also effectively fulfil its responsibilities in this regard.

Comprehensive peace in the Middle East cannot be achieved without appropriate solutions to the conflict between Israel and Syria and between Israel and Lebanon. We appreciate the willingness expressed by Syria to enter into peace talks. We hope that the countries concerned will begin negotiations as early as possible and seek mutually acceptable solutions, in accordance with the principles set out at the Madrid Conference.

China, as a permanent member of the Security Council, has always supported and worked to promote the Middle East peace process. In recent years, China has worked to promote peace through a number of channels. We have organized meetings on the Middle East issue within the framework of the United Nations. China's special envoy to the Middle East has also visited the region on many occasions.

China, like the rest of the international community, will continue to make tireless efforts aimed at the early achievement of peace and stability in the Middle East.

Ms. Al-Akhzamy (Oman) (*spoke in Arabic*): I should like, at the outset, to extend my deep gratitude and appreciation to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for the comprehensive report of the Committee, contained in document A/59/35, and for his detailed statement concerning the situation in the occupied Palestinian territory.

There can be no doubt of the special importance of the issue under consideration at this meeting, given that the international community has for so long been unable to resolve the situation in the occupied Palestinian territories — a situation that cannot be allowed to continue. More than 50 years of killing, displacement and the destruction of infrastructure has not prevented the proud Palestinian people from demanding their legitimate rights, which would be manifested in the establishment of an independent State, with Al-Quds as its capital.

The Palestinian people have always looked to this international body to protect them from the brutality of Israel, which has engaged in many of the worst practices of oppression and suppression — killing the elderly, women and children, imposing collective punishment, laying siege to cities and towns, demolishing homes, destroying infrastructure and violating international norms and principles.

Israeli practices directed against the Palestinian people are unimaginable and go beyond all limits. There is no doubt that the international community has an opportunity to send a clear and unambiguous message calling upon Israel to halt such practices and begin real negotiations leading to the establishment of the pillars of security and stability, on the basis of the terms of reference of the peace process, prominent among which are the principle of land for peace and Security Council resolutions 242 (1967) and 338 (1973).

The choice for peace requires political will on the part of all the parties concerned to agree to the obligations of a real peace based on justice and fairness. Peace cannot come as a result of killing, violence and all forms of terrorism against an unarmed people — a people that calls upon God for help and upon the international community for assistance in obtaining and restoring their rights.

Peace is a strategic option — an option that would demonstrate farsightedness and a willingness by the parties to enter into a true partnership whose objective would be to put an end to violence and to recognize the right of the other party to live in peace.

The world thought well of the parties concerned when they decided to begin the peace process — a process that began at Madrid under the auspices of the United States of America and the Russian Federation and was crowned with the signing of the Oslo Accords and subsequent accords by the Israeli and Palestinian leaderships. But those hopes evaporated as one party backed away from its commitments and resorted to using military force and oppression as a means of resolving the conflict.

My country, the Sultanate of Oman, was one of the first countries to have welcomed the peace process, considering that the only civilized and natural approach to settling disputes was through dialogue and negotiation.

Thus, we call on the concerned parties and the sponsors of the peace process to assume an active role in settling the conflict in the Middle East by reactivating the work of the Quartet and realizing the vision of President George W. Bush of the United States of America, namely, to establish a Palestinian State existing side by side with Israel, within internationally recognized borders.

In conclusion, we call upon the international community to support the peace efforts in the Middle East. Peace can be achieved only through the recognition of the legitimate rights of the Palestinian people to establish an independent State and to live in peace in an internationally recognized sovereign State.

Mr. Wali (Nigeria): The situation in the Middle East continues to deteriorate and has long remained one of the most intractable problems on the agenda of the United Nations. It is a matter of deep concern that the cycle of strife, violence and instability persists, despite the collective efforts of the United Nations and the international community. Nigeria deplores the spate of violence between the parties.

The continued violence in the subregion clearly violates the Oslo and Madrid agreements. Therefore, the international community should not allow that wanton destruction of lives and property to continue. The parties involved in the conflicts should realize that nothing meaningful and durable is ever achieved through violence. Nigeria believes that a just and

sustainable solution to the question of a Palestinian State, existing side by side with the State of Israel, should be the basis for the establishment of sustainable peace in the Middle East. That would be consistent with Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), among others. In that regard, we urge the parties to back their desire for peace, reconciliation and harmony with concrete action that ensures sustainable peace in the region. We therefore call on the parties to the conflicts to meet their obligations under international law and international humanitarian law in a genuine effort for peace.

Nigeria reaffirms its commitment to the peaceful settlement of the conflict, and we call upon the United Nations and the international community to assist the parties to resume peace negotiations on the basis of the relevant Security Council resolutions.

In that regard, we reaffirm our support for the vision and the engagement of the Quartet in negotiating a workable peace for the parties. Accordingly, we reaffirm our support for Security Council resolution 1515 (2003) and call on the parties to fulfil their obligations under the plan already set out in the road map. We therefore welcome the call by the Secretary-General for the establishment of a third-party mechanism to end violence and foster progress in the region.

Nigeria commends the efforts of the Quartet, the United Nations Secretary-General and the League of Arab States to bring the parties to agree to implement the road map. We urge the parties to abandon violence and pursue the peace process in goodwill and with the requisite political commitment.

In that connection, Nigeria reiterates its support of the vision of two States, Israel and Palestinian, living side by side in peace, within secure and recognized borders, as affirmed by Security Council resolution 1397 (2002).

Nigeria also wishes to reaffirm its support for the goal of ultimate peace between Israel and Lebanon and between Israel and Syria, based on Security Council resolutions 242 (1967) and 338 (1973). We reiterate our support for the initiative of the Kingdom of Saudi Arabia, which was endorsed by the Arab League Summit of March 2002, the Madrid Conference of 2001 and the principle of land for peace. Accordingly, we deplore the reported violations of territorial integrity and call on the parties to desist from such violations in the overall interest of peace and stability in the subregion.

We believe that the resumption and completion of peace negotiations between Israel and Syria and implementation of resolutions 242 (1967) and 338 (1973) are indispensable for a just, lasting and comprehensive peace in the Middle East. We therefore call for a more vigorous engagement by the international community on this issue.

In conclusion, Nigeria commends the efforts for peace of the United Nations Special Coordinator and Personal Representative of the Secretary-General in the region. We also commend the men and women of the United Nations system and the international community, in particular the United Nations Disengagement Observer Force and the United Nations Interim Force in Lebanon, who continue to serve with courage and commitment to the cause of international peace and security in the subregion.

Nigeria reaffirms its support for the peaceful resolution of the conflicts in the Middle East and the question of Palestine in accordance with the relevant resolutions of the Security Council and the General Assembly.

Mr. Goonatilleke (Sri Lanka): This year, the General Assembly is considering the question of Palestine at a momentous time, following the untimely passing of President Arafat, the leader of the Palestinian people. President Arafat's sudden demise has left a void in the political canvass of Palestine that will be difficult to fill. The services he rendered to the Palestinian cause, spanning several decades, will long be remembered by the Palestinian people.

Allow me to quote the message of the President of Sri Lanka, Her Excellency Chandrika Bandaranaike Kumaratunga, on the occasion of the International Day of Solidarity with the Palestinian People, held yesterday.

> "Over the years, Sri Lanka has consistently extended its firm and unequivocal support for the struggle of the Palestinian people to realize their inalienable rights, including the right to statehood under the leadership of President Yasser Arafat.
>
> "We are deeply saddened at the passing of President Arafat, who fought relentlessly

throughout his life to uphold the inalienable rights of the Palestinian people.

"The reports of loss of life, injury and destruction of property that occur in the occupied territories on an almost daily basis fill me with profound sorrow. While conveying my deepest sympathies and sincere condolences to all those that have lost their loved ones, I hope that efforts to pursue an end to violence and revive the peace process will soon be realized.

"On behalf of the Government and the people of Sri Lanka, I take this opportunity to reaffirm our continuing solidarity with the Palestinian people and convey our sincere wishes for their well-being. We share the hopes and aspirations of the Palestinian people of seeing an end to foreign occupation, the achievement of a lasting solution, the realization of a Palestinian State and a durable peace."

Continuation of the illegal occupation of the Palestinian territory in contravention of numerous resolutions adopted by the United Nations, including those of the Security Council, and the conduct of the occupation forces within the occupied Palestinian territory are the primary reasons for the persistence of the Middle East conflict, which has been raging for so many years. The Palestinian people have lived far too long under foreign occupation and under conditions that are in keeping neither with the norms of international humanitarian law nor with the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which applies to the occupied Palestinian territory.

The rejection of violence by all parties concerned, Israel's withdrawal from the occupied Palestinian and other territories, recognition of the inalienable rights of the Palestinian people, including their right to have a sovereign and independent State, and respect for the right of all States in the region to live in peace and security are some of the essential ingredients for lasting peace in the Middle East.

We are convinced that the time has come for all parties to re-evaluate the situation on the ground, to take stock of the options available, to implement new strategies to heal old wounds and to seek new ways and means of achieving peace and security for all people living in that turbulent region.

The Government of Sri Lanka has consistently supported the inalienable rights of the Palestinian people and their right to an independent and sovereign State, based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002), 1515 (2003) and other relevant resolutions. Further, we recognize the right of all States in the region to live in peace within secure and internationally recognized borders.

The failure to resume the peace process, the continuation of violence and attacks against civilians, indiscriminate and disproportionate use of force by the Israelis, the continued construction of the separation wall well inside the Palestinian Territory — which has been declared illegal in the Advisory Opinion rendered by the International Court of Justice in July 2004 — and the expansion of settlements by Israel in the occupied territory are matters of great concern to the international community.

The meeting of the diplomatic Quartet in Sharm El Sheikh on 23 November gives us some hope that the current developments in the Middle East will help promote the peace process. In this regard, we are happy to note the encouraging news of the Quartet's reaffirmation of their determination to work with the Palestine leadership to support the forthcoming elections. We remain convinced that the resumption of the peace process for the implementation of the road map will lead to achieve the goal of a comprehensive, just and lasting solution to the question of Palestine.

Against this backdrop, we urge the international community, in particular the Quartet, to redouble its efforts to help the parties to commence implementing their obligations under the road map, which will lead to the realization of the inalienable rights of the Palestinian people and make it possible for Israel and an independent and sovereign State of Palestine to live side by side in peace, harmony and security.

Mr. López Clemente (Cuba) (*spoke in Spanish*): The debate of the General Assembly on agenda item 37 coincides, as usual, with the celebration of the International Day of Solidarity with the Palestinian People. Regrettably, this year's celebration is held at a time when the Palestinian people are still in mourning, a few days after the death of Chairman Yasser Arafat, the tireless, heroic and selfless combatant. Chairman Arafat became the loudest voice and the unyielding symbol of the cause of the Palestinian people in the struggle for their inalienable national rights, aimed at

the creation of a fully independent State, with East Jerusalem as its capital, and the return of all refugees to their place of origin, from which they were expelled as a consequence of a genocide that has remained unpunished for more than 56 years.

Over the course of many months, Chairman Arafat held out in the headquarters of the Palestinian National Authority in Ramallah, besieged and hounded by an aggressor who did not cease, not even for an instant, to attack him. Chairman Arafat always faced the aggressor with the same courage and gallantry as he faced death.

All those struggling on our planet to achieve a better world tipped their hats to Yasser Arafat as a sign of respect for that admirable warrior, who gave his life for the cause of liberty and justice. His suffering and death caused dismay, pain and sadness to his people and to hundreds of millions of people, and have also proved the naked cruelty and meanness of the oppressors of his homeland and of those who support them.

Chairman Arafat's death took place in extremely complex international circumstances, especially in the occupied Palestinian territories, where the crisis continues to grow despite the calls of the international community, and the views of the overwhelmingly majority of United Nations Member States.

The number of dead and wounded continues to increase; the majority of them are innocent civilians, and a third of them children. Conservative estimates state that about 3,500 Palestinians, including outstanding political figures, have lost their lives in the last four years, and tens of thousands have been wounded. Raids by Israeli armed forces into the Palestinian territories continue as if normal, as if this is something with which we have to coexist and which we have to accept meekly. Illegal Israeli settlements in the occupied Arab territories pursue their usual expansion.

Economic activity has been paralysed by military occupation, blockades and closures of roads, all of which intensify the already desperate situation of the great majority of the Palestinian people, surviving under conditions of increasing poverty. Although this is outrageous, the inhuman policy of housing demolition is maintained, which deprives the elderly, women and children of shelter.

The violation of the human rights of the Palestinian people is the most flagrant, massive and systematic one in the world. Arbitrary detentions, tortures and extrajudicial executions are common and institutional. State terrorism exercised by Israel does not acknowledge limits and must be repudiated.

Cuba considers legitimate and inalienable the heroic struggle of the Palestinian people against Israeli occupation and aggression, and it expresses full solidarity with the resistance and rebellion.

Likewise, Cuba expresses its condemnation of suicide bomb attacks and other acts aimed against Israeli civilians, innocent victims of the spiral of violence caused by their Government's policy. At the same time, Cuba opposes the manipulation of such isolated acts to question the exercise of legitimate defence by the Palestinian people and to justify the actions, both selective and broad-scale, against the Palestinian people.

The inadmissibility of the acquisition of territory by means of the use of force is a principle accepted under international law. Security Council resolutions 465 (1980), 478 (1980) and 497 (1981) clearly outline the international community's refusal to acknowledge the illegal Israeli settlements and the annexation by Israel of East Jerusalem and the Golan.

The erection of a separation wall by Israel around the West Bank and Jerusalem constitutes a new and pointless attempt to destroy the cause of the Palestinian people. So far, this wall has left more than 20,000 Palestinians without a means of sustaining life or preserving their heritage. It has devastated thousands of hectares of fields and wells in the West Bank, which will de facto mean the confiscation of around 60 per cent of the territory, including East Jerusalem. Whole Palestinian areas have been deprived of access to vital basic services, such as education, health care and employment.

The United Nations General Assembly, rejecting such a stark method of colonizing, adopted a resolution, with the support of 150 Member States and on the basis of the legal opinion issued by the International Court of Justice (ICJ), last 9 July, which stated:

> "The construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around

East Jerusalem, and its associated régime, are contrary to international law."

This document, which can be added to dozens of previous resolutions, also demands that Israel, among other things, put an end immediately to the construction work, dismantle the sections already erected and repair the damage caused.

Nevertheless, Israel and its main supporter, the United States, ignore the will of the international community and pursue their frenzied attempt to destroy totally the heroic endurance of the Palestinian people. The United States has a shameful record: 29 vetoes of resolutions that the United Nations Security Council has tried to adopt in an attempt to put an end to the extermination of a whole nation. Significantly, almost a quarter of those vetoes have taken place during the four years of the current United States Administration, which coincides with the increased repression and harassment directed against the Palestinian people. And that does not even include the constant threat of veto, which has had the effect of hindering the adoption of a considerable number of draft resolutions that have not even been put to a vote, or of significantly watering down the content of others.

In order to advance towards a just solution of the Palestinian problem, the United States should immediately suspend financial support for military activities and stop selling military supplies to Israel, including tanks, helicopters, planes and missiles used against civilians.

The obvious complicity of United States policy with the Israeli occupation is exposed in the priorities expressed by the delegation of the United States during the current session, which opposes the mandate and function of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People and takes issue with the work of the Division for Palestinian Rights of the Secretariat, among others.

Cuba, which has been subjected to a strict blockade by the United States for more than 45 years, is certain that no wall, no siege, not even the most violent, cruel and inhuman atrocities can weaken Palestinian aspirations for the sovereignty and independence of Palestine.

Cuba condemns all acts of aggression, occupation and State terrorism perpetrated by Israel and reiterates its firmest solidarity with the Palestinian people. At the same time, Cuba encourages all delegations to vote in favour of the four draft resolutions presented to the Assembly in support of the Palestinian cause, including its inalienable right to constitute an independent and sovereign State on its territory, with East Jerusalem as its capital. We urge the delegations to vote in favour also in remembrance of the olive branch offered in this Hall by the unforgettable Chairman Yasser Arafat exactly 30 years ago.

Mr. Løvald (Norway): The Middle East has witnessed important changes over the past few weeks.

We are very encouraged by the way the Palestinian Authority has handled the situation following President Arafat's illness and death. The transition of power is taking place in an orderly manner and in accordance with the provisions of the Basic Law. We fully support the process leading up to the election of a new Palestinian president on 9 January 2005, and urge the Israeli Government to take the steps that are necessary for contributing to the success of the elections.

We are also encouraged by Israel's intention to withdraw from Gaza and four settlements on the West Bank. That is an important step towards ending the Israeli occupation. The withdrawal must be coordinated with the Palestinian Authority, and must also be implemented in accordance with the road map and United Nations resolutions. It must also support the two-State solution.

Positive developments in the peace process will also depend on radical improvements in the Palestinian economy. We must therefore work towards the normalization of the economy in the West Bank and Gaza. Improving the Palestinian economy is also important in relation to donors, as donor fatigue is growing. If the international community is to play a role after the Israeli withdrawal, we must make sure that the parameters for the withdrawal are conducive to normalization and steady growth in the Palestinian economy.

The single most important thing that can be done to normalize the economy is either to change fundamentally or abolish the closure regime. Norway therefore urges Israel to lift closures and allow normal import and export.

The Palestinian Authority also bears major responsibility for achieving positive political and

economic development. The new Palestinian leadership must make a strategic decision to fight terrorism, in accordance with the road map. Terrorism is unacceptable anywhere, at any time.

The Palestinian Authority has achieved important results in its reform process. We encourage them to continue those reforms, especially in the police and security sectors.

Although much attention has been directed lately towards Gaza, the situation continues to deteriorate in the West Bank and in East Jerusalem. While Norway recognizes Israel's security concerns, we cannot accept the construction of the separation barrier on occupied land in the West Bank. Nor can we accept the continued construction activities in the Israeli settlements in the West Bank. The building of the barrier, the construction going on in the settlements and the development of a separate road network for the settlements are in conflict with international law and create facts on the ground that stand in the way of a peaceful solution to the conflict.

The Middle East peace process has been at a standstill for a long time now. The events over the last few weeks could lead to new developments.

We do not need a new peace plan. The road map contains all steps necessary for restarting the process. It is vital that Israel, the Palestinian Authority and the international community seize the present opportunity and redouble their efforts.

Our goal is to have two viable States, Israel and Palestine, living side by side in peace and security. At this critical juncture we must join forces and do our utmost to make this vision a reality.

Mr. Danesh-Yazdi (Islamic Republic of Iran): This year's debate on the agenda item entitled "Question of Palestine" is being held at a truly critical hour in the history of Palestine, when the Palestinian people are still in sorrow and grief at the demise of the late President Arafat, who, for nearly four decades, symbolized, in his person, the national aspirations of the Palestinian people. I would like to avail myself of this opportunity to offer, once more, the sympathy and solidarity of the Iranian people and Government to the Palestinian people and authorities.

There is no doubt that unity and cooperation among the various Palestinian groups are of utmost importance at this crucial juncture in order to realize the rights of the oppressed Palestinian people, particularly through the holding of a fair and free election. In addition, more serious support from the international community, and especially the United Nations, for the legitimate struggle of the Palestinian nation is now more urgent than ever, since the old and accumulated wounds of the Palestinian people can only be healed by their regaining their legitimate rights.

The present time also coincides with the commemoration of the International Day of Solidarity with the Palestinian People. On this occasion, the Government and the people of the Islamic Republic of Iran reaffirm their solidarity with the Palestinian people in their brave struggle to assert their inalienable rights. The international community should also be mindful of this Day, which serves as a reminder for us all of the usurped rights and the plight of the Palestinian people. We should therefore spare no effort in supporting their rightful struggle for the establishment of a national homeland and for a comprehensive and just resolution of the Palestinian issue in all its aspects.

The report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which addresses the sufferings and burdensome circumstances under which the Palestinians live, has yearly provided members of the General Assembly with an opportunity to review the Palestinian question. This year's report, too, well documents the continuous and increased violation of the rights and aspirations of the Palestinian people by Israel, resulting in a deterioration of the situation to levels heretofore unseen.

As the report illustrates, during the period under review the systematic pattern of human rights violations and of breaches of international law and international humanitarian law by Israel continued unabated. Israel has persisted in its unlawful policies and practices, which have resulted in more deaths and injuries among the Palestinian people and in even greater devastation of Palestinian cities, communities and infrastructure as well as civilian property.

As stated in the report, Israeli actions have taken different forms, such as an increased number of military operations in densely populated residential areas, especially in the Gaza Strip; the indiscriminate use of force by the Israeli army; the practice of collective punishment, extrajudicial killings and the targeted assassination of political and religious figures;

and the expansion of settlements in the occupied territories. All these acts are clear and grave breaches of basic international norms and principles, thus convincing Palestinians, as well as the international community, that Israel does not truly believe in peace.

As outlined in the report, due to Israel's aggressive and expansionist policies, the number of Palestinians killed in the four years of the intifada now exceeds 3,700, with some 35,700 injured, many of them women and children. It is equally disturbing to learn from the report that, in December 2003, the Israeli Defence Forces carried out almost daily incursions into Nablus, resulting in death and injury to Palestinian civilians and in the destruction of historic buildings and homes in the Old City. In May 2004, the Rafah area in the Gaza Strip was subjected to a major military operation, resulting in further death and destruction and causing a humanitarian crisis in Rafah.

The monthlong siege of Beit Hanoun in July 2004, along with the demolition of buildings and agricultural properties, deprived the local people of their limited sources of income and condemned them to absolute poverty and misery. In late September 2004, a massive military operation was launched in the northern Gaza Strip — particularly in the densely populated towns of Beit Lahiya, Beit Hanoun and the Jabaliya refugee camp, home to over 100,000 refugees — thus exacerbating the hostility and heightening the level of violence in those areas.

The continued construction of the separation wall by Israel, even in the wake of the issuance of the advisory opinion by the International Court of Justice and the international reactions that followed, is an act that not only clearly defies the basic principles of international law but also shows disrespect and intransigence with respect to the will of the international community.

These are but a few of the inhuman measures taken by Israel which have forced the people of Palestine to languish in a hopeless situation that deteriorates day by day.

Furthermore, the inhumane and deliberate measures adopted and implemented by Israel to destroy the already fragile Palestinian economy run counter to all standards of the civilized world. As a direct consequence of the Israeli measures, the Palestinian economy remains on the verge of collapse, Palestinian living conditions have declined dramatically, and the situation, which the World Bank earlier this year called one of the worst recessions in modern history, is threatening to take on disastrous proportions.

More than half a century has passed since the adoption of General Assembly resolution 181 (II); despite the recognition by the General Assembly of the right of the Palestinians to establish an independent State; and despite scores of Security Council and General Assembly resolutions, the Palestinian people have yet to exercise their right to self-determination. As long as this question is not thoroughly addressed and fairly resolved, peace cannot prevail in the region as a whole.

It is now more obvious than ever that the question of Palestine constitutes the core of the Middle East conflict, and that, if a just and comprehensive solution to this question is not reached, the Middle East will remain plagued by instability and tension.

Israel's fatal disregard for the demands of the international community and its continued acts of violence and terror against the Palestinian people have undoubtedly created more instability and served to further inflame tensions in the region. It is high time, therefore, that the international community take effective measures to protect and enforce the most basic rights of the Palestinian people and to help put an end to the vicious circle of violence brought about by the persistent illegal occupation by Israel of Palestinian lands and of other territories in the region.

We believe that an end to the Israeli occupation and the formation of a Palestinian state, with Al-Quds Al-Sharif as its capital, and the return of all Palestinian refugees to their homeland represents the only solution to that enduring crisis. Indeed, it is an imperative for the international community to be more effectively involved and to be unambiguous in preventing Israel from carrying out its terrorist designs in the region.

The Security Council, which has the primary responsibility for maintaining international peace and security, should play an important role in promoting a fair, just and viable solution to the Middle East question. Regrettably, the Council has thus far been rendered ineffective in terms of taking any serious and tangible action or even attempting to implement its own modest and limited decisions on the situation in the Middle East.

The deterioration of the situation in Palestine not only has threatened the wider region but also has increasingly and adversely affected peace and stability in the whole world. Tension in the region continues to escalate, and the situation in the Middle East has further deteriorated. The situation in the occupied Syrian Golan is not very different. It continues to be another source of tension in the region, and the Israelis have thus far indicated that they are not intent on considering a withdrawal from the Golan. Rather, they have made repeated attempts to alter the demographic and legal character of the area by establishing new settlements and imposing their laws on Syrian citizens, in contravention of all relevant Security Council resolutions and the principles of international law.

Israel's threats against Lebanon are yet another source of concern. The Lebanese people have already demonstrated their resolve to defend their homeland and will continue to do so in future in the face of any threats. Undoubtedly, if these issues are not addressed fairly and properly, the situation in the Middle East will continue to be bleak.

In conclusion, let me express my appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People and to its Chairman and members for the comprehensive report they have provided and for the efforts that the Committee has undertaken to ensure the realization of the rights of the Palestinian people. That work must continue until we reach a final solution to the dire situation in the Palestinian territories in particular and in the wider region in general.

Mr. Nguyen Duy Chien (Viet Nam): The delegation of Viet Nam wishes to express its appreciation and thanks to the Secretary-General and to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for their respective reports, contained in documents A/59/574 and A/59/35, under agenda item 37, "Question of Palestine".

Fifty-seven years after the adoption by the General Assembly, at its second session, of resolution 181 (II), and 30 years after the adoption of resolution 3236 (XXIX), the question of Palestine remains unresolved and the fundamental rights of Palestinians have not been realized. Today, the international community is very concerned at the lack of progress in the implementation of the road map initiative and at the continuing high levels of violence and the deteriorating situation in the Palestinian territory, which in turn further exacerbates the situation in the Middle East and threatens international peace and security.

The reports of the Secretary-General and of the Committee on the Exercise of the Inalienable Rights of the Palestinian People have provided us with an alarming picture: in the four years that have passed since September 2000, approximately 3,700 Palestinians and 966 Israelis have been killed, 35,700 Palestinians have been injured and 65,998 Palestinian buildings have been fully destroyed or partially damaged. Because of measures imposed by the occupying Power, Palestinians have been prevented from earning a living, are unable to move freely and have difficulties in seeking medical care, and their children have been deprived of a proper education. Furthermore, during the reporting period there was a disturbing increase in acts of violence and harassment against the United Nations staff and property there. Personnel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East are frequently hindered in carrying out their duties.

Achieving a final and peaceful settlement of the question of Palestine is imperative for the attainment of comprehensive and lasting peace and stability in the Middle East. In the present complicated situation in the region, it is urgent that the concerned parties put an end to the violence and advance the peace process. We believe that peace in the region can be achieved only through the realization of the inalienable rights of the Palestinian people, including their rights to self-determination and national independence and to the exercise of State sovereignty.

On this occasion, we wish to reaffirm the consistent support and solidarity of the people and the Government of Viet Nam with the Palestinian people in their just cause of seeking the establishment of an independent State. We therefore support every effort in that direction.

This year, the consideration of agenda item 37 takes place in extraordinary circumstances: the Palestinian people have just lost their outstanding leader, His Excellency President Yasser Arafat. We share that great grief and loss, and we are convinced that the Palestinian people will soon overcome their difficulties and that they will remain united for the sake of realizing their fundamental rights.

We also endorse the position of the Committee on the Exercise of the Inalienable Rights of the Palestinian People that the Quartet and the international community should intensify their engagement, as a matter of great urgency, to help the parties begin to carry out their obligations under the road map, which provides the way to achieve a comprehensive, just and lasting settlement of the question of Palestine on the basis of Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) and the principle of a permanent two-State solution to the conflict, in which Israel and Palestine live side by side within secure and recognized borders.

In conclusion, we wish to state that Viet Nam supports the four draft resolutions presented by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People under the important agenda item 37, "Question of Palestine".

Mr. Diallo (Guinea) (*spoke in French*): At a time when we are commemorating the International Day of Solidarity with the Palestinian People, this debate on agenda item 37, entitled "Question of Palestine", is profoundly marked by the passing on 11 November 2004 of President Yasser Arafat, the symbol of the Palestinian people. My delegation must express once again the deepest sorrow of the people and the Government of Guinea and to reiterate to the brotherly Palestinian people, to the Palestinian Authority and to the bereaved family of the great leader our most heartfelt condolences and solidarity in these times of great trial.

Undoubtedly the death of President Arafat, the embodiment and the symbol of the Palestinian cause, is an enormous loss for all Palestinians and for all peoples throughout the world who love justice, freedom and peace. Despite that grave loss and the present difficulties, the maturity demonstrated by the Palestinian people in picking up the torch to carry on the work of their historic leader should be emphasized.

My delegation fully subscribes to the statement made by the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. We welcome the sense of responsibility and transparency that characterized the transition, particularly the process of transferring power.

We urge the new Palestinian leadership to persevere on the course charted by the late President Arafat and to remain faithful to the principles and ideals that inspired his political actions, among which the consolidation of unity and the closing of ranks in the struggle were top priorities. We appeal to Israel to facilitate the holding of the Palestinian presidential elections planned for 9 January 2005 and to assist in the establishment and consolidation of the new Palestinian Authority.

My country, which has always been at the forefront of the heroic struggle of the Palestinian people, remains deeply concerned at the deterioration of the situation in the occupied territories. The grave developments — which are described in detail in the report contained in document A/59/35, which is before us today — are extremely revealing in that regard.

Guinea regrets that no significant progress has been made in the implementation of the Quartet's road map in recent months, far from it.

Once again, we express our complete condemnation of all forms of violence that result in the loss of innocent human life. We likewise denounce the systematic and disproportionate use of force, the collective excesses and punishment and the extrajudicial executions practiced by Israel. We very strongly condemn the policy of *fait accompli* practiced by the occupying Power, which ultimately seeks to undermine the very basis of the road map and the peace process as a whole.

There is no shadow of a doubt that the avowed will of the Israeli Government to proceed with the construction of the separation wall, notwithstanding the opinion of the International Court of Justice and in clear violation with the elementary norms of international law, human rights and humanitarian law, is at variance with the vision of two States, Palestinian and Israeli, as advocated in the road map. This exercise is one of the most telling demonstrations of the fact that the Palestinian people have been denied exercise of their right to full sovereignty within an independent, free and viable State. In view of the deliberate policy of settlements, my delegation regrets the fact that the Israeli Government is dragging the Middle East region towards ongoing instability. This is why, with regard to the Israeli initiative to withdraw from the Gaza Strip, we believe that this has to be negotiated with the Palestinian party and it has to be part of the Quartet's road map and part of the implementation of the relevant resolutions of the Security Council and of the General Assembly.

Guinea has always reaffirmed its conviction that the States of the region, including the State of Israel and a State for Palestine, are entitled live in peace within secure and internationally recognized borders. That is why we will continue to urge the parties to live up to their commitments contained in the Quartet's road map and to ensure the effective and speedy resumption of the peace process in order to conclude a peaceful final political settlement. They will not be able to meet this enormous challenge themselves. They will, of course, need the unswerving support of the international community, which should take this initiative to give fresh impetus to the peace process.

The Republic of Guinea and our leadership would like from this rostrum, through my humble voice, to pay a well deserved tribute to the memory of the late President Yasser Arafat by reiterating our unshakeable commitment to work together with members of the international community to bring about the speedy implementation of the noble legitimate aspirations of the Palestinian people and to work for the advent of lasting peace, stability and united development for the peoples and States of the Middle East region.

Mr. Jenie (Indonesia): Let me first express the appreciation of my delegation to the Secretary-General for his reports on "The situation in the Middle East" and on the "Peaceful settlement of the question of Palestine". We are also grateful to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its report contained in document A/59/35. Indonesia is a member of this Committee, and we believe the report provides comprehensive insight into the situation concerning the question of Palestine over the past year.

Before I continue, my delegation would like to pay its condolences to the Palestinian Government and people upon the recent death of their leader, Mr. Yasser Arafat. Truly, President Arafat was a genuine hero and courageous leader of his people, as stated by Mr. Farouk Kaddoumi, Head of the Political Department of the Palestine Liberation Organization, yesterday. Furthermore, he was a much loved and respected figure, not only by the Palestinian people but also by many all over the world, including Indonesia. We hope that his courage and commitment will continue to inspire the realization of the hopes, dreams and legitimate rights of the Palestinian people for their beloved land.

In this connection, I would also like to point out that on the occasion of the International Day of Solidarity with the Palestinian People, which was observed yesterday, President Susilo Bambang Yudhoyono, on behalf of the Government and people of Indonesia, sent the clear message that during his tenure the Palestinian people could count on the unwavering support of Indonesia, and that Palestine would remain a priority for my country. This indicates the great concern that my country feels for the unfortunate plight of the people of Palestine

Unfortunately, the reports before us relate unanimously that the situation in Palestine continues to worsen. The Committee reports that Israel's occupation and its continued military raids, closures and restrictions of movement, especially in the Gaza Strip, have resulted in the unprecedented destruction of homes and infrastructure, and a rapidly rising number of civilian deaths and injuries. Extrajudicial killings have continued, as has the construction of the separation wall in the occupied Palestinian territory.

As a result of this construction, many Palestinian people have suffered. According to the report of the Committee before us, about 875,000 Palestinians in the West Bank (38 per cent of the population) are affected by the construction, and about 263,000 people in 81 localities have found themselves isolated. Indeed, Palestinians now fear that the wall could create a permanent annexation of their land.

Similarly, the Palestinian economy, according to the Secretary-General, "is in tatters and stands little chance of recovery unless immediate action is taken". In fact, he quotes a recent World Bank study that describes the deep economic crisis in the West Bank and Gaza as "one of the worst recessions in modern history". Despite the Advisory Opinion of the International Court of Justice and General Assembly resolution ES-10/15 of 20 July 2004, Israel has, unfortunately, continued to refuse to bring the construction of the wall to a halt.

It is obvious that, as these events have continued, the road map of the Quartet, which was expected to lead to a comprehensive two-State settlement by 2005, has almost become sidelined. Indeed, in his report on the peaceful settlement of the question of Palestine (A/59/574), the Secretary-General observes that, despite the stated commitment on the parties on 4 June

2003, the situation is characterized by a stalled peace process and continuing levels of violence.

There is general agreement in the international community that this is a good moment to restart the peace process and to revive the dream of two nations living side by side in harmony. Unfortunately, it is also obvious that this dream cannot be revived unless Israel decides to work with the international community on the road to peace. Israel must comply with the relevant resolutions of the United Nations and abide by international law. Israel must halt construction of the wall and comply with the Fourth Geneva Convention and with its obligation to protect civilians.

It is now more critical than ever that the United Nations move to halt the suffering and injustice that the people of Palestine continue to suffer and insist that the Government of Israel abide by the resolutions of the Organization. As long as the inalienable right of the Palestinians to self-determination is being violated with impunity, we cannot seriously expect to be able to achieve the objective of peace. It is the responsibility of Israel to recognize that there can be no military solution to the situation in Palestine. The road to peace lies in the implementation of United Nations resolutions and international laws and conventions.

Finally, Indonesia calls on the international community to support the people of Palestine in order to ensure adequate preparations for free and fair general elections in January 2005 and, more important, the establishment of an independent Palestinian State in 2005, as foreseen by the road map.

Mr. Sen (India): On behalf of the Government and the people of India, we express our deep sorrow at the passing of Yasser Arafat, the late President of the Palestinian Authority and Chairman of the Palestinian Liberation Organization. We convey our sincere condolences on this occasion to the wife and the daughter of the late President and to the Palestinian people in their time of grief.

In his message on the occasion of the International Day of Solidarity with the Palestinian People, the Prime Minister of India, Mr. Manmohan Singh, said:

> "For four decades, President Arafat had been the enduring symbol of steadfast courage in leading the struggle of the Palestinian people for an independent homeland. On this solemn occasion, we pay homage to his memory and recall his everlasting contribution to the cause. We also take this opportunity to wish the Palestinian people, under their new leadership, peace and an end to this decades-old conflict. India reaffirms its solidarity with the fraternal Palestinian people for the realization of its legitimate rights."

President Arafat was the elected leader of the Palestinian people and the symbol of their cause. He embodied their will and aspirations. He was a towering and highly respected international personality who fought selflessly and courageously, at great personal sacrifice, for the Palestinian cause and an independent homeland for the Palestinian people, to which he dedicated his whole life. India has consistently supported the Palestinian struggle for independence and was the first country outside of the Arab world to recognize the Palestinian Liberation Organization as the sole and legitimate representative of the Palestinian people.

President Arafat was greatly respected and admired by the people and the leaders of India and will always be remembered as a sincere and steadfast friend of India. The people of India share the grief of the leadership of the Palestinian National Authority and the people of Palestine at the passing of a great patriot and statesman.

India is deeply concerned at the ongoing conflict in the region. The violence that has beset the region since September 2000 has claimed almost 4,000 Palestinian and 1,000 Israeli lives, apart from the physical and the invisible psychological scars of conflicts, which afflict civilians as much as combatants. India has joined the international community in voicing its concern over the endless cycle of violence and counter-violence that has characterized the current phase of this conflict. India has consistently maintained that violence is a serious impediment to the peace process and that the solution does not lie in more violence but in pursuing the path of political dialogue.

The economies of both Israel and the Palestinian Authority have suffered immeasurably as a result of the ongoing conflict. Palestine has been particularly hard hit. It continues to reel under what the World Bank has described as one of the worst recessions in modern history. The widespread increase in poverty and

unemployment, coupled with the decreasing revenues of the Palestinian Authority, have brought the economy to the verge of collapse.

India has called for an easing of the restrictions placed on the Palestinian areas and an immediate amelioration of the ongoing humanitarian crisis there. To demonstrate our support for the Palestinian people in their quest for nationhood, India recently announced the provision of assistance and medicines worth approximately $450,000 to the Palestinian Authority. We have also decided to double our contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East this year.

The Palestinian leadership has shown great courage and fortitude in the period following the demise of President Arafat. The decision to hold elections on 9 January 2005 is in the best tradition of a smooth transfer of power, in accordance with the Basic Law. Israel's decision to release approximately $33 million in attached arrears to the Palestinian Authority has also been encouraging. However, the success of the elections depends a great deal on the continued actions of the parties involved.

In the critical period before Palestinian elections, Israel has to refrain from actions that could undermine trust, including settlement activity; facilitate the preparations and the conduct of elections; take steps to lift curfews and ease restrictions on the movement of persons and goods; and significantly improve the humanitarian situation in the Palestinian territories. The Palestinian Authority has to take action on the ground to halt violence.

In addition, Israel has to allow residents of East Jerusalem to vote in the forthcoming elections, ease the closures and blockades on major Palestinian towns and cities, provide unhindered access to candidates and voters and allow international observers. The international community would need to be fully involved in the Palestinian election process to ensure that it is conducted in the best possible circumstances and is free and fair.

Both Palestinians and Israelis should make optimal use of the opportunities represented in this new beginning. Most Israelis and Palestinians appear to be in favour of resuming the peace process after four years of conflict and loss. Elections in the Palestinian Authority in the wake of an easing of restrictions in the territories should pave the way for Israel's withdrawal from Gaza and the West Bank, including East Jerusalem, thereby reviving the peace process. There is no doubt that for this initiative to succeed, Israel's redeployment would have to be part of the overall peace process and be coordinated with the Palestinian Authority and the international community. If those requirements were met, withdrawal could be a useful step towards an end to the Israeli occupation that began in 1967. Direct negotiations between the parties could then lead to the goal of two States, Israel and a sovereign, independent, viable, democratic and territorially contiguous Palestine.

In that connection, we recall the advisory opinion of the International Court of Justice on the legal consequences of the construction by Israel of the wall in the occupied Palestinian territory. The opinion of the Court was that the wall is contrary to international law and should be dismantled. We called on Israel to take full account of the advisory opinion, in keeping with the overwhelming international opinion on the matter, with a view to early action in accordance with the advisory opinion.

Renewed and redoubled efforts are necessary for the peace process to move forward in accordance with the relevant United Nations resolutions, the Quartet's road map and international law, with the support of the international community. We hope that a negotiated solution to end the conflict will be found urgently. The vision of two States living side by side within secure and recognized borders remains valid and is perhaps more attainable now than at any other time. India strongly urges the parties concerned and the international community to press for a just and comprehensive resolution of the conflict within the earliest possible time frame, based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003).

There have been recent signs that indicate interest in the revival of the Lebanese and Syrian tracks. India has advocated a comprehensive solution to the situation as the logical next step in the resolution of the wider Israeli-Arab conflict on the regional level, as envisaged in the Saudi Arabian peace initiative. The principle of "land for peace" remains equally valid in addressing the other tracks of the Middle East conflict. We sincerely hope that the comprehensive political process can be revived at the earliest possible date.

The late Prime Minister of India, Mrs. Indira Gandhi — whose untimely death Chairman Arafat deeply mourned, as we mourn his death today — was fond of some lines from the writings of a remarkable woman of India, the poet Sarojini Naidu:

> "True peace is not the peace of negation, not the peace of surrender, not the peace of the coward, not the peace of the dying, not the peace of the dead, but the peace militant, dynamic, creative, of the human spirit which exalts."

Ms. Núñez de Odremán (Bolivarian Republic of Venezuela) (*spoke in Spanish*): First of all, I should like to reaffirm to the Palestinian people the solidarity of the people and the Government of the Bolivarian Republic of Venezuela in the light of their deep sorrow following the death of President Yasser Arafat, who was their example in the struggle for a free and sovereign State, led by a valiant and resolute people.

At this time, we reaffirm the support and solidarity of the Government and the people of the Bolivarian Republic of Venezuela; that is, we once again endorse the recognition and exercise of the inalienable rights of the Palestinian people to self-determination. In that context, we join in the appeal for the international community's support in order to facilitate the process of electing new Palestinian authorities in accordance with their national law, without pressure or unilateral measures of any kind, so that they transparently reflect the sovereign will and general interests of the people, with the basic objective of establishing a democratic, people-centred and participatory society. That will complete the process of building a State in the Middle East that will, in keeping with the rights of the Palestinian people, respond to the values of freedom, peace and security.

The failures to consolidate peace and security in the occupied territories have been regarded by some as an affair of the Palestinian people and recently even as a problem attributable to Yasser Arafat, who was subjected to measures of isolation, imprisonment and threats on his life, which were incompatible with the principles of international law and therefore repudiated by the international community.

The repeated violation of the rights of the Palestinian people, the intensification of the military attacks in the Gaza strip, the increase in civilian deaths and injuries, the suicide bomb and rocket attacks and the construction of the wall cannot be considered as failures of the Palestinian people in their unceasing quest for full self-determination. A good part of that must rather be attributed to an international community that has not been equal to its mission, which it has not wanted to engage in — because of its weakness and reluctant attitude — beyond indulging in sterile rhetoric, rather than going to the root causes of the conflict and focusing on and punishing the aggression through actions that ensure strict compliance with the international legal order.

That is why the United Nations cannot pass up this opportunity to peacefully guarantee the existence and development of a Palestinian State that will participate in the comity of nations as a democratic country. Therefore, we must continue to fight against the harmful and illegal acts of intervention and aggression that jeopardize the self-determination of the Palestinian people.

Mr. Own (Libyan Arab Jamahiriya) (*spoke in Arabic*): I should like at the outset to express my appreciation for the work carried out by the Committee on the Exercise of the Inalienable Rights of the Palestinian People. We commend the Committee for the efforts it has undertaken since its establishment to implement the mandate given to it by the General Assembly.

Every year, we return to consider this item, which was first included on the agenda of the General Assembly 57 years ago. We are thus the third generation to consider this issue in order to find a just and permanent solution to the question of Palestine. Undoubtedly, that simple fact requires us to pause and reflect on what we in the United Nations have achieved, what we have failed to achieve and what we should do to find a just and permanent solution to that question and enable the Palestinian people to exercise their inalienable rights, namely, the right to return to their homeland, the right to self-determination and the right to establish their own independent State.

Our generation has seen many plans that have been called ideal solutions to the question of Palestine, beginning with the Oslo Accords and ending with the so-called road map. We have witnessed the failure of all attempts to find a solution to this problem, and we have made no tangible progress towards establishing peace and justice. On the contrary, we see an increase in the suffering of the Palestinian people, which is summarized by the Committee on the Exercise of the

Inalienable Rights of the Palestinian People in paragraph 77 of the report contained in document A/59/35, which states:

> "The Committee's utmost concern during the period under review has been the failure of efforts to reawaken the peace process against the backdrop of continuing violence, tragic loss of life and deepening humanitarian crisis in the occupied Palestinian territory, including East Jerusalem. Attempts to establish a ceasefire and stabilize the security situation did not achieve lasting results. The Israeli military's disproportionate and indiscriminate use of force, the practice of collective punishment, extrajudicial killings, and the detention and imprisonment of thousands of Palestinians have resulted in the further destruction of the fabric of Palestinian society. The Committee is strongly opposed to the continued construction of the wall on Palestinian land and the expansion of settlements, which jeopardize international efforts to resolve the conflict. It maintains that the continuing Israeli occupation remains at the core of the conflict."

The situation that we witness daily through the mass media will not help us to reach a partial, complete or temporary or permanent solution. Any attempt to impose a fait accompli on the Palestinians will not resolve the question and provide a settlement. The initiative called the road map, which was welcomed by the Security Council in its resolution 1515 (2003), will face the same fate as previous attempts to find a solution to the question.

The Israelis will destroy the path leading to the implementation of the road map as they have destroyed Palestinian roads, homes and refugee camps, and we will find ourselves, a few years hence, at the very same point — particularly since influential international powers, especially the Quartet, are still subjugated to the will of the occupier and the non-implementation of the relevant General Assembly and Security Council resolutions.

The Libyan Arab Jamahiriya, given what it has witnessed in the occupied territories, continues to believe, as it has stated repeatedly, that the ideal solution to the Palestinian question would be the establishment of a democratic State of Palestine in which Arabs and Jews would coexist, in a manner similar to the situation in South Africa after the fall of the apartheid system. We believe that this is the only solution that could possibly satisfy the desire of both the Palestinians and the Israelis, who each insist on living on the land of Palestine.

Mr. Rock (Canada) (*spoke in French*): Our debate today on the question of Palestine is taking place at a time when extraordinary prospects are opening up in the Middle East. Events are occurring in rapid succession, and, while we look back on a year that has seen much loss of life and suffering on both sides, there are also new reasons for hope that the peace process will move forward. Canada welcomes early signs that this might happen and calls on both Israel and the Palestinian Authority to remain focused on the goal of peace. The international community, including Canada, must be prepared to act so this unique opportunity does not slip away.

The passing of President Arafat earlier this month was, and remains, a source of great sorrow for the Palestinian people. President Arafat personified the Palestinian people's struggle for self-determination. His vision and leadership with respect to Palestinian aspirations, particularly at the time of the Oslo Accords, will not be forgotten.

Canada commends both Israel and the Palestinian Authority for their renewed cooperation at this time. We welcome the efforts made by both sides to set in motion a free and fair election process, which is essential to democratic institution-building and to renewed negotiations towards a just and lasting peace.

(*spoke in English*)

The fundamental elements of my country's policy in the Middle East are unshakeable. Canada has endeavoured to play a constructive part in peace efforts for decades, dating back to our involvement in defusing the Suez crisis in 1956, for which our then Foreign Minister, Lester B. Pearson, was awarded the Nobel Peace Prize. Since that time, generations of Canadians have been devoted to peacekeeping and to the peaceful settlement of disputes as a mainstay of our foreign policy.

Our ultimate goal has remained the same: a comprehensive, just and lasting peace in the Middle East, and the creation of an independent, democratic and viable Palestinian State, living side by side in

peace and security with Israel. To that end, both sides have basic needs and concerns that must be recognized.

Support for Israel — especially for its right to live in peace with its neighbours within secure boundaries — has been at the core of Canada's Middle East policy since 1948. Canada recognizes Israel's right to ensure its own security and to take proportionate measures to protect the security of its citizens from attacks by terrorist groups, but always in accordance with international law, including human rights and international humanitarian law.

In tandem with this, Canadian support for the creation of a Palestinian State is unwavering. We believe that the human rights of Palestinians are of primary importance and that the international community should do everything necessary to secure them. That is one of the reasons why Canada co-sponsored the draft resolution entitled "Assistance to the Palestinian people". A just solution to the Palestinian refugee issue is also central to the Middle East peace process and to a peace settlement.

However, these legitimate aspirations of both Israelis and Palestinians have been thwarted by the violence that continues to plague the region and by major issues that remain unresolved.

On the one hand, Israeli military actions and the construction of a barrier in territories it continues to occupy will not, in our judgment, give Israel long-term security within internationally recognized borders. On the other hand, a just peace will never be achieved through suicide bombing attacks targeting Israeli civilians. All acts of violence undermine the search for a peaceful settlement, and the well-being and realization of the legitimate aspirations of people on both sides.

Terrorism will never contribute to the solution of these complex issues. Terrorists and their supporters should immediately be brought to justice, prosecuted in accordance with international law, and dealt with in a manner which does not penalize, endanger or harm innocent civilians.

If it is to engender trust, Israel must refrain from all unilateral actions that might prejudge the outcome of negotiations. Canada opposes the establishment of settlements in the territories. We oppose unilateral moves to annex East Jerusalem and the Golan Heights. We oppose the construction of the barrier inside the West Bank and East Jerusalem. In addition to its obligations under international humanitarian law, Israel also has obligations under human rights law with respect to the inhabitants of the occupied territories.

Having outlined our fundamental principles, let me now set forth the manner in which Canada approaches the resolutions on the Middle East discussed each year in the General Assembly. Canada has longstanding concerns that many of those resolutions do not contribute to strengthening dialogue or to enhancing trust between the parties.

First, we have consistently urged, and we continue to urge, the sponsors of those resolutions to make real efforts to reduce their number. Many of the resolutions are redundant or outdated. That fact not only damages United Nations credibility but also gives the impression that their objectives are more rhetorical than results-oriented.

Secondly, in our judgment, the resolutions are often divisive and lack balance, no matter how artfully they are crafted. Foremost, references to Israeli security needs are often overlooked in the General Assembly. Repeated emphasis on Israel's responsibility under international law obscures equally important responsibilities of other parties to the conflict. That, in our judgment, is a major shortcoming in the process. Effective action by the Palestinian Authority to dismantle terrorist capability and infrastructure is an essential step towards statehood, as are other long-due governance reforms. Yet, none of those obligations are sufficiently emphasized in Assembly resolutions.

Thirdly, on those limited occasions when resolutions can make a constructive contribution and be helpful, Canada encourages a more innovative approach to drafting resolutions so that they are pragmatic, reality-driven texts, with mechanisms for follow-up on agreed benchmarks. The effectiveness and credibility of Assembly resolutions would, in our judgment, increase significantly if they more accurately reflected the road map obligations and the Quartet's objectives.

It is in light of those considerations and taking into account the guiding principles of our long-standing policy in the Middle East that Canada has been evaluating the draft resolutions tabled for adoption in this plenary. We have decided to oppose in this Hall two draft resolutions, one entitled "Work of the Special Committee to Investigate Israeli Practices

Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/59/471, draft resolution I), and the other, entitled, "Committee on the Exercise of the Inalienable Rights of the Palestinian People" (A/59/L.34). We believe that the value added of the activities of both Committees is questionable. Indeed, for many years now, neither of these resolutions has enjoyed the strong support of the international community.

Concurrently, we have also decided to support in this Hall the draft resolution on the risk of nuclear proliferation in the Middle East (A/59/462, para. 7). That draft resolution is consistent with the Canadian Government's nuclear disarmament and non-proliferation policy and our ongoing non-proliferation efforts in the region.

Canada believes that the time has long since come, especially given the renewed hope for the peace process, to evaluate the efforts that all of us make here at the United Nations to determine if such efforts could be redirected towards more constructive outcomes. It is incumbent upon the General Assembly, as well as the Security Council, to do more to foster the mutual respect and trust between Israelis and Palestinians that is so desperately needed if we are to achieve the peace that all of us desire. While a peaceful solution to the conflict can only be the result of a negotiated agreement between the parties, the international community at the United Nations can play a greater role, in a spirit of cooperation and collective effort.

The changes that we have signalled today are an example of Canada's new multilateralism. Canada is intent on engaging the world in an active, systematic and principled manner. Our support for the Responsibility to Protect initiative and our efforts to promote the Group of 20 are two recent examples of the new multilateralism. In the context of the Middle East, our efforts to assist Palestinians in their nation-building enterprise reflects our deep commitment to supporting human rights and human development.

We want to work with the new Palestinian leadership to build a democratic, prosperous society with fully functional institutions, including an independent judicial system and sophisticated administrative bodies, and we have offered to help build that capacity.

Prime Minister Martin has stated Canada's commitment to support the parties' efforts to reach a peaceful solution in any way that it can. Canada is committed to promoting peace and stability in the region. Our goal is to provide assistance in support of free and fair Palestinian elections and to encourage the Palestinian nation-building process. Canada, today and always, stands ready to work with all United Nations delegations towards that shared objective.

The Acting President: In accordance with General Assembly resolution 57/32 of 19 November 2002, I now call on the observer for the Inter-Parliamentary Union.

Mr. Vallersnes (Inter-Parliamentary Union): I am greatly honoured to take the floor on behalf of the Inter-Parliamentary Union (IPU) during the Assembly's debate on Palestine and the situation in the Middle East.

The situation of the Palestinian people and the conflict that has ravaged the Middle East for so many years are issues that concern parliaments everywhere, as well as their international organization, the Inter-Parliamentary Union. Over the years, we have debated the conflict in the region and have adopted resolutions on numerous occasions in which we condemn the violence and appeal for negotiations to achieve a lasting peace.

We abhor the violence and call on all sides to take every necessary measure to put an end to the violent attacks that result in the deaths of large numbers of civilians. We condemn and strongly deplore targeted assassinations and suicide bombings, both of which perpetuate the cycle of violence and diminish the prospects for reconciliation. We call on Israelis and Palestinians to introduce a logic of peace to replace the logic of war, violence and terror by resuming political negotiations for a common future.

We also call for a halt to the building of settlements in the occupied territories, which, along with the demolition of Palestinian homes and property, is in contravention of the Fourth Geneva Convention and the road map. Equally, we call on Israel to abandon its policy of erecting barriers on Palestinian territory and to stop using its regular army to police the civilian population and conduct extrajudicial killings in the occupied territories. We also point out that the arrest and detention of two members of the Palestinian parliament, Mr. Barghouti and Mr. Khader, is in violation of the Fourth Geneva Convention and the Oslo Accords.

We consistently call for the establishment of an independent and viable Palestinian State. At the same time, we affirm Israel's unequivocal right to live within secure borders. We are fully supportive of the implementation of the road map and would be prepared to assist in sending international observers to monitor the stage-by-stage implementation on the ground of the decisions contained in the road map.

Like people all over the world, the IPU deeply regrets the passing away of President Yasser Arafat. We believe we should also seek to turn that sad event into an opportunity to advance the cause of peace. The IPU stands ready to play its part in such an endeavour and, to that end, the IPU Secretary General visited both Israel and Palestine last week for talks with the parliamentary leadership in Ramallah and Jerusalem.

We warmly welcome the Palestinian Authority's decision to hold presidential elections on 9 January 2005, and at its request we are encouraging parliaments everywhere to send observers for those elections. We also welcome the assurances provided by the Israeli authorities that they will make every effort to facilitate the holding of free and fair elections, including by making it possible for Palestinians in East Jerusalem to register and cast their vote in the elections and by withdrawing the Israeli military presence in towns and villages in the West Bank and the Gaza Strip so as to facilitate the movement of people.

We are equally encouraged by the steps taken this year by the Palestinian Legislative Council in Ramallah to finalize and adopt a new electoral law to enable general and parliamentary elections to take place next spring. Again, we wish to ensure a large parliamentary presence to observe those elections.

The Inter-Parliamentary Union's attitude towards the situation in the Middle East is predicated on its conviction and work to promote democracy. The fundamental notion underlying the exercise of democracy is the acceptance of — or better still, the respect for — the other. Democratic life is both the right to differ and the acceptance of such differences by all. The point is to recognize difference and to allow it to exist rather than to refuse it. It is for democratic institutions to mediate tensions and maintain equilibrium between the competing claims in society.

As part of that equation, parliament has an essential role to play in holding government accountable. We are therefore responding positively to a request we have just received from the Palestinian Legislative Council to assist it in strengthening the institution of parliament, with a special focus on its standing and select committees. Strong democratic institutions, including parliamentary control of the security sector, are essential elements in achieving peace in the region.

In the early 1980s, the IPU set up a Committee on Middle East Questions and entrusted it with the task of promoting the holding of an international conference on peace in the Middle East. Following the start of the peace process and the convening of the international conference in 1991, as well as the signing of agreements negotiated in Oslo, the Committee's mandate was broadened to include promoting direct dialogue between Arab and Israeli parliamentary delegations at IPU meetings.

Recently, that Committee was asked to facilitate a direct political dialogue between members of the two concerned parliaments, the Palestinian Legislative Council and the Israeli Knesset. The first such meeting took place in Paris in January 2001. Since then, that Committee, which I am honoured to chair, has organized some initial meetings between parliamentary delegations, both in the region and at IPU headquarters. Last year, the parties concerned decided to create a working group representing all political parties in each of the two parliaments, which would address specific issues at each meeting. During his recent trip to the region, the IPU Secretary-General received clear indications that both the Legislative Council in Ramallah and the Knesset now stand ready to intensify their dialogue, and we look forward to organizing a series of meetings in the early part of next year.

Let me end on a note of hope and with a plea. The IPU is convinced that no lasting solution to conflict can be found through the use of arms. Only political and direct dialogue can achieve that end, and we believe that dialogue is possible — if only it is given the slightest chance. Let me also point out that for a long time now the elected members of the Palestinian Legislative Council have been prevented from travelling to Ramallah, with the result that parliament cannot sit. That situation should not be allowed to continue, as it is in the interests of nobody — neither the Palestinians nor the Israelis.

We therefore appeal to those who have the means to intervene to ensure that parliament can meet, so that political discussion on the wide variety of urgent issues facing the Palestinian people can take place in the Palestinian Legislative Council — the legitimate and representative institution that they have established with the full support of the international community.

The Acting President: We have heard the last speaker in the debate on agenda item 37. I would like to inform members that action on draft resolutions A/59/L.34 to A/59/L.37 will be taken immediately after the debate on agenda item 36, entitled "The situation in the Middle East".

Agenda item 36

The situation in the Middle East

Reports of the Secretary-General (A/59/431 and A/59/574)

Draft resolutions (A/59/L.39 and A/59/L.40)

The Acting President: I give the floor to the representative of Egypt to introduce draft resolutions A/59/L.39 and A/59/L.40.

Mr. Aboul Atta (Egypt) (*spoke in Arabic*): The General Assembly has just concluded its discussion of the question of Palestine. That question has always been a source of tension and basic concern in the Middle East region. Today, we meet once again to discuss a matter that is no less important than the question of Palestine. Indeed, it represents the general framework surrounding that question, which is the situation in the Middle East — a decades-long situation of tension and conflict in that "hot spot" of the world.

It is regrettable that the Middle East, which is the cradle of monotheistic religions and a melting pot of successive civilizations and cultures, still suffers from foreign occupation of its land since 1967. The Israeli occupation of Arab lands in Palestine, Syria and Lebanon and the ongoing, almost daily violations of Syrian and Lebanese sovereignty clearly show the imbalance and instability in the security system in the Middle East region. It is high time to deal with that imbalance with maximum seriousness through a comprehensive and just settlement of the Arab-Israeli conflict.

Every year, the General Assembly, under this agenda item, is offered two resolutions, which are of primary importance. The first concerns the city of Jerusalem where the continuing status quo has been confirmed by the adoption of various Security Council and General Assembly resolutions, especially since the adoption of Assembly resolution 181 (II) in 1947. The second resolution concerns itself with the Israeli occupation of the Syrian Golan and Israel's continuing violation of Security Council resolution 497 (1981).

The Arab Summit held in 2002 in Beirut, and all other meetings of Arab leaders and officials, have confirmed that peace has become an indisputable Arab strategic option. The Arab Peace Initiative is crystal-clear proof that the Arab side has chosen peace with Israel — a peace based on justice, the recovery of rights and the solid foundation of good-neighbourly relations, rather than on continued aggression against Arab States or the violation of their national sovereignty.

At this critical juncture the international community must redouble its efforts to implement the road map and to set up conditions that would guarantee the establishment of an independent Palestinian State, on schedule and without procrastination. The inability to solve those complex issues today could lead to more problems in the future. Experience has shown that in dealing with the question of the Middle East, the foundation for achieving a just settlement is crumbling away with each passing day. What is left for the Palestinians is a peaceful settlement that is far short of the logic of right and justice. Thus, any settlement achieved at a later stage will likely lack the necessary elements for survival and success.

Hence, it is imperative that the Quartet redouble its efforts to ensure that Israel fulfils its commitments under the road map. The international community and the major Powers should provide the requisite guarantees and support for the holding of successful elections within the occupied territory. Israel must desist from carrying out policies of provocation, aggression and closures, show good intentions and begin some measures that would promote confidence-building on the Palestinian side. That would facilitate the rapid return to negotiations.

The Syrian and Lebanese tracks are no less important than the Palestinian one. Direct negotiations among the parties are inevitable. Negotiations should

be without preconditions and should be based on the terms of reference of the Security Council and General Assembly resolutions so that we can reach a final settlement for that conflict. It is regrettable that the Israeli side has, on more than one occasion, rejected serious offers presented by Syria for the resumption of negotiations. We would hope that Israel would deal positively with the latest offer by Syria to resume negotiations without preconditions.

The delegation of Egypt has the honour of introducing to the General Assembly, under agenda item 36, "The situation in the Middle East", draft resolution A/59/L.39, entitled "Jerusalem", and draft resolution A/59/L.40, entitled "The Syrian Golan".

Draft resolution A/59/L.39, on Jerusalem, reaffirms the terms of reference of the General Assembly and Security Council resolutions concerning the special status of the city. Those resolutions determine that all legislative and administrative measures taken by Israel, the occupying Power, to alter the status of Jerusalem to be null and void. The draft resolution refers also to the advisory opinion of the International Court of Justice on the construction of the separation wall in the occupied Palestinian territory and stresses that a comprehensive, just and lasting solution to the question of the City of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include provisions to ensure the freedom of religion and belief of its inhabitants.

We would like to refer to corrections to the fourth preambular paragraph. At the star of the paragraph "Taking into account" should be replaced by "Recalling also", and at the end, the phrase "and recalling resolution ES-10/15 of 20 July 2004" should be added. The paragraph would then read:

> "Recalling also the Advisory Opinion rendered on 9 July 2004 by the International Court of Justice on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and recalling resolution ES-10/15 of 20 July 2004".

Draft resolution A/59/L.40, on the Syrian Golan, recalls Security Council resolution 497 (1981) and Israel's continuing failure to comply with that resolution. It reaffirms the applicability of the Hague Convention of 1907 and the 1949 Geneva Convention to the Syrian territory occupied by Israel since 1967. It demands once again that Israel withdraw from the occupied Syrian Golan to the line of 4 June 1967. It calls upon Israel to resume the talks on the Syrian and Lebanese tracks and to respect its commitments reached in previous talks. We would like to point out that Lebanon has been added to the list of sponsors of this draft resolution.

It is time to move forward and look at the Middle East in a comprehensive manner. The peoples of the region look forward to permanent peace, stability and development. That can be achieved only through the collective will of the international community, capable of proposing solutions and exerting pressure so that direct negotiations can resume. It can be accomplished by pursuing the vision of a definitive solution based on the resolutions of international legitimacy, the provisions of the relevant Security Council and General Assembly resolutions and the practical approach set out by the road map.

Mr. Almansoor (Bahrain) (*spoke in Arabic*): Every year at this time, for more than four decades, the Assembly takes up the question of the situation in the Middle East and expresses its vision on this crucial question, to which the international community continues to attach great importance.

This situation has become a source of great concern for enlightened individuals and people of conscience all over the world. Clearly, the situation in the Middle East is deadlocked. It seems to be going from bad to worse and to deteriorate from year to year as a result of Israel's ongoing occupation of Arab territories in Palestine, the Syrian Golan and the Lebanese Shaba'a farms. This situation has made the Middle East a region of chronic, raging conflict.

Every year from this rostrum world leaders speak at length about the Israeli occupation of Arab territory, and all condemn and denounce the occupation and the repressive terrorist practices Israel uses against the general population of the occupied Arab territories. Many international appeals have been made for Israel to halt its violence, refrain from the excessive use of force and bloodshed and from undermining the infrastructure of the Palestinian territories and end its policies of extrajudicial killings and assassinations and its settlement activity. Nevertheless, Israel, the occupying Power, blatantly continues its daily brutal acts against human dignity. In carrying out its activities, it employs in an arbitrary manner all forms

of military weaponry, including helicopters, fighter jets and tanks, resulting in the death and injury of civilians and personnel of international organizations. Israel meanwhile ignores international opinion and the accusations made by the countries of the world.

It has become clear that Israel lives in isolation from the world, in a world of its own making in which only it can see the correctness of the acts of violation it commits, as they conform to its own particular norms — which differ from international norms. For Israel, the killing, the violations and the spreading of fear are means to achieve its objective of establishing facts on the ground through the use of force, in contempt of the United Nations and its resolutions.

It is true that Israel has flouted all its obligations as an occupying Power, that it has shirked its responsibility to comply with the relevant United Nations resolutions and that it feels certain that the international community is unable to force it to implement its legal commitments. This short-sightedness of Israel, which comes from living in a world different from the one the rest of us live in, has led to much tragedy, devastation and bloodshed and to the tense situation prevailing in the Middle East.

Israel has used all forms of force, oppression and brutality, more than has any other force in the world. We have no doubt that such methods have generated more hatred than any other conflict on earth. It is noteworthy that after Israel's birth after the 1948 war, it methodically and earnestly continued to occupy territory in Palestine and to expel its indigenous population, establishing illegal settlements throughout the occupied territory. It continued with the occupation of more territory in 1967, when it swallowed the West Bank, Gaza strip and East Jerusalem, which it declared the eternal capital of Israel. All that happened despite the international position vis-à-vis that occupation and the adoption of Security Council resolutions, which affirm the illegality of the occupation of the territories of others by force. Council resolutions 242 (1967) and 338 (1973), for example, clearly show the position of the United Nations vis-à-vis the occupation.

Rather than implement Security Council resolutions, Israel has continued its occupation of Arab territories. It has occupied the Syrian Golan and southern Lebanon until the latter was liberated by the struggle of the Lebanese people, with the exception of the Shaba'a farms, which are still under the yoke of the Israeli occupation.

What is noteworthy in terms of Israel's intransigence in ending its occupation is a series of attempts to entrench that occupation by all means and methods — most effectively by establishing and proliferating settlements in occupied Arab territory, by bringing settlers who have no relationship at all with that occupied territory to the settlements from all parts of the world, and by expelling the indigenous population and taking from it all its fundamental human rights. That policy has become a standard approach followed by successive Israeli Governments and supported by the enactment of various forms of repressive legislation that contradict in form and substance international conventions and agreements, such as the 1949 Geneva Convention relative to the Protection of Civilian Persons in the Time of War. What is really shameful is that armed settlers have not refrained from using all forms of military power, oppression and brutality to carry out massacres.

The reports before the Assembly state that Israel has exploited the natural resources, wealth and water of the occupied territories in a manner that contradicts international instruments. Israel has changed the demographic and physical character of the occupied Syrian Golan and has enacted legislation that contradicts international legality by attempting to separate the Golan from the Syrian Arab Republic in violation of Security Council resolution 497 (1981) — which considered Israel's imposition of its laws, jurisdiction and administration in the Syrian Golan Heights as null and void and without international legal effect. Israel's actions in this respect also violate General Assembly resolution 57/128, which called upon Israel to desist from changing the physical character and demographic composition, institutional structure and legal status of the occupied Syrian Golan, and in particular to desist from the establishment of settlements on it.

The Security Council and the General Assembly have adopted many resolutions concerning the illegal status of the settlements. Such settlements have been condemned by the international community as illegal. It suffices in this context to mention resolution 446 (1979), in which the Security Council affirmed that there is no legal validity to these settlements, as well as resolution 465 (1980), in which the Council showed in a clear manner that Israel's resettlement of part of its

population and some of its new immigrants in Palestinian and other Arab territories occupied since 1967, including part of Jerusalem, constitutes a blatant, flagrant violation of the Fourth Geneva Convention.

Israel cannot continue this illegal policy, which is based on its belief that the international community will not uphold justice because of the mighty military power of the occupying force. No solution should be imposed through the use of military force, but rather by using peaceful means. A peaceful solution is the ideal means to uproot and put an end to hatred, violence and murder.

Arab States have repeatedly pointed out that they have chosen peace as a strategic option and have made multiple initiatives aimed at bringing about a peaceful solution, the most recent of which was the one endorsed by the Beirut Summit in 2002, which was supported by the road map and based on previous Security Council resolutions. The solution of this question and ending the Israeli occupation of Arab territories will restore right and justice and establish a just peace for all.

The meeting rose at 1.10 p.m.